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October 17, 1985

Mr. Roland Johnson, Superintendent
Bureau of Indian Affairs
P.O. Box 1448
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Dear Mr. Johnson:

During the week of June 26, 1985, the USGS under the direction of Mr. Ken King conducted blasting activities on or near Anaconda's former mining lease at the Jackpile-Paguate Mine site. This activity was allegedly to study blast effects on the Paguate Village housing. In order to obtain comparable information, Anaconda had its consultant take concurrent measurements on the USGS activity.

On October 15, 1985, Anaconda was informed by Mr. George Laskar of BLM that Mr. King is preparing additional blasting experiments on the former lease area over the dates of 18-25 October 1985, that these tests may consist of two to eight blasts of 100 pounds each of ammonium nitrate/fuel oil mixture supposedly to measure blast effects on the Paguate Village.

During recent hearings on the Jackpile-Paguate reclamation project, Anaconda was overtly threatened with lawsuits for blasting damage by residents adjacent to the mine site, and several residents on the Laguna Reservation complained of alleged blast damage to their buildings. We assume that the investigation which you are conducting is in preparation for and in aid of litigation, and has as its purpose the gathering of information to be used either by these individuals or by the Tribe in suing Anaconda for alleged blast damage.

We object strongly to an agency of the United States Government engaging in this kind of activity for a number of reasons.

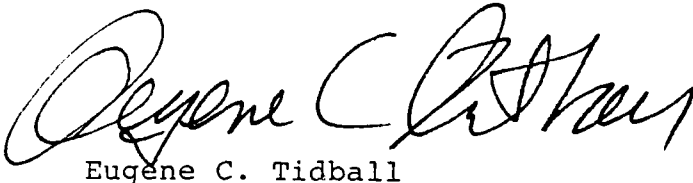
Both the Pueblo of Laguna and the Department of Interior have stated that Anaconda has extensive responsibilities for reclaiming the area mined under leases from the Paguate Tribe. While Anaconda does not agree with this position, we have offered to undertake a very substantial reclamation program. However, if your agency or any other agency of the Federal Government is going to enter these lands and cause damage to the Village or the integrity of the pit walls, Anaconda may be forced to reconsider its position.

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The relevance of this type of activity is open to question. The mine has long been closed, and the lapse of time since the cessation of mining would nullify the results of any present blast damage investigation. Blasting activity in the past while mining operations were on-going was carefully monitored and analyzed by several competent experts in the field of seismology.

As long as Anaconda is bound by the reclamation bond with the Department of Interior, it has the right to participate in decisions on activities which could damage the land, particularly those that detrimentally affect the pit walls, and which may create new liabilities for Anaconda.

For the reasons enumerated above we request that you cease this activity immediately.



Eugene C. Tidball

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